

EXHIBIT 48

UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
MISSOULA DIVISION

PAUL PRICE, JOHN PREBIL and MARGERY
PREBIL, on behalf of themselves and all others
similarly situated,

Plaintiffs,

vs.

W.R. GRACE & COMPANY (a Delaware
corporation); W.R. GRACE & COMPANY-CONN
(a Connecticut corporation); W.R. GRACE & CO.,
a/k/a GRACE, an association of business entities;
SEALED AIR CORPORATION (a Delaware
corporation),

Defendants.

No. CV 00-71-M-DWM

AFFIDAVIT OF BRENDAN KING IN
SUPPORT OF PLAINTIFFS'
APPLICATION FOR PRELIMINARY
INJUNCTION AND EMERGENCY
NOTICE TO CLASS MEMBERS

PLAINTIFF'S
EXHIBIT

48

MDL 1376

1 STATE OF WASHINGTON)
2 County of Spokane)ss.
3)

4 BRENDAN KING, being first duly sworn on oath deposes and states that:

5 1. I am above the age of eighteen and competent to testify from my own personal
6 knowledge to the matters set forth below.

7 2. My family and I live at 9909 E. Garland in Spokane. I have a wife, Barbara, and two
8 daughters, Brenda and Bonnie.

9 3. We bought our present home in May of 1997, shortly following the death of the
10 previous owner, Orin Lopeman, who died of cancer. We purchased the home with a plan to do
11 significant remodeling work on our own. We began that work shortly after our purchase and much
12 remains to be done.

13 4. Our home contains several inches of vermiculite insulation in the attic. Vermiculite
14 is also contained inside the exterior cinder block walls and one interior cinder block bearing wall.
15 Our remodeling work has involved working in and around vermiculite insulation on a regular basis.

16 5. When I removed part of a cinder block wall, vermiculite came pouring down into our
17 living room. When we removed kitchen cabinets that were attached to the ceiling, a lot of
18 vermiculite came down on me and into our kitchen. When I drilled holes in the ceiling, vermiculite
19 poured out and hit me on the face and head. I have probably drilled fifty holes in our ceiling. All
20 of these activities created pretty good clouds of dust.

21 6. Most of the time we would clean up the vermiculite with a shop vacuum without a
22 filter. Sometimes we would sweep it up. When we got done vacuuming or sweeping, dust would
23 be everywhere.

24 7. Because our house has no basement and cinder block exterior walls, all of the
25 plumbing and electrical goes through the attic. Therefore, I spend a lot of time in our attic doing
26 electrical and plumbing work. I ran new electrical wiring in the attic through the vermiculite and
redid plumbing that involved working in and around the vermiculite insulation. To get the wiring

1 though the vermiculite and to get pipes to come though, I had to fish around in the vermiculite. I
2 spent weeks up there doing wiring and plumbing. This work usually resulted in a lot of dust in the
3 air.

4 8. I installed a chimney, which required going up through our ceiling, through the attic,
5 and up through the roof. When I drilled the hole for the metal chimney, vermiculite came pouring
6 down. This, again, resulted in a lot of dust in the air.

7 9. Because of all the remodeling work that remains unfinished and exposed, you can
8 find vermiculite contaminating various areas of our house.

9 10. Our home has centralized forced air heating. The heating ductwork is routed through
10 the attic, buried in the vermiculite insulation. The heating vents exit from our ceiling and are
11 themselves buried in the vermiculite insulation. The ductwork and vents are not tightly constructed
12 and vermiculite insulation and vermiculite dust infiltrates into the heating ducts themselves. I have
13 noticed that when I first turn on the heat, I can see dust coming from the ceiling vents. One of the
14 heating vents is located in my daughter's bedroom ceiling immediately above her bed. The return
15 air for my heating system draws air creating a vacuum. That system goes through an open cinder
16 block wall which directly pulls air and dust from our attic, which is then circulated by the heating
17 system.

18 11. When I think about how my daughter has been sleeping for three years directly
19 beneath the homemade heating vent in our house, I am very concerned about her health. I am also
20 concerned for the health of my whole family because of our exposure.

21 12. We have been remodeling for three years now and my family and I want to get it
22 done. Now I have stopped because I don't want to disturb the vermiculite. There is more work I need
23 to do, including going through an exterior wall and replacing windows and window casings. My
24 present and future plans for remodeling are now all on hold. I don't want to put carpeting and
25 padding down because of potential contamination and I am worried that our new couch and love seat
26 are now contaminated with this stuff.

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DATED this 19 day of July, 2000.



Brendan King
BRENDAN KING

SUBSCRIBED AND SWORN to before me this 19 day of July, 2000.

Beverly A. McMullin
Notary Public in and for the State of Washington
Residing at Spokane
My commission expires: 5-16-2004

EXHIBIT 49

WASHINGTON STATE SURVEY

**Summary Report
October 2000
#24873**

PREPARED FOR:

Lukins & Annis, PS
717 W Sprague Ave
Suite 1600
Spokane, WA 99201

PREPARED BY:

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Mountain Pacific Building
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CONTENTS

Research Objectives.....	1
Methodology	3
Key Findings.....	5
Data Highlights and Observations	7
Sample Profile.....	28

RESEARCH OBJECTIVES

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CORPORATION

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RESEARCH OBJECTIVES

Research Objectives:

- To determine the public's awareness and knowledge of Vermiculite attic insulation
- To determine the public's awareness and knowledge of a particular brand of Vermiculite attic insulation, called Zonolite attic insulation.
- To measure awareness of announcements and advisories regarding Vermiculite Attic Insulation
- To measure the public's awareness of special precautions to be taken if they have Vermiculite Attic Insulation.

METHODOLOGY

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METHODOLOGY

Interview Technique

Telephone interviews were conducted by GMA Research Corporation, located in Bellevue, Washington.

Respondent Qualifications

All respondents were homeowners, residing in Washington State, 18 years of age or older.

Sample Size

N=427. A sample size of n=427 has a maximum margin of error of ± 5.0 percentage points at a 95% confidence level.

Sample Source and Method

A random file of both listed and unlisted telephone numbers of people who reside in Washington State residents were contacted to complete the survey.

Length of Interview

The average length of the interview was 6 minutes.

Interviewing Dates and Times

Interviewing was conducted from October 18th through October 19th, 2000 during evening calling hours.

KEY FINDINGS

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KEY FINDINGS

- More than half of the 427 people surveyed (56%), said that they had never heard of Vermiculite Attic Insulation, while (43%) said that they had heard of Vermiculite Attic Insulation before.
- Of the 183 people who said they had heard of Vermiculite Attic Insulation, (54%) said they thought they would recognize the insulation, while (35%) said that they wouldn't.
- Eighty-Five (85%) said that they had never heard of a particular brand of Vermiculite Attic Insulation, called Zonolite Attic Insulation.
- Eighty (80%) of the people surveyed, said they didn't recall hearing any announcements or advisories regarding the handling or disturbance of Vermiculite Attic Insulation.
- Almost 9 out of 10 people surveyed (88%) don't recall hearing any EPA announcements or advisories concerning Vermiculite Attic Insulation.
- More than 9 out of 10 of the people surveyed said that they hadn't heard any announcements/advisories made by the Washington State Department of Health concerning Vermiculite Attic Insulation..
- (94%) of the people surveyed said they had not received any information regarding potential health hazards associated with Vermiculite Attic Insulation.
- Close to 9 out of 10 people surveyed (89%) said they were unaware of any special precautions that Homeowners that own B=Vermiculite Attic Insulation should take.
- Two Thirds of the people surveyed (66%) said they had Internet Access.
- Of those who said they have Internet Access, only (6%) said they have visited an Environmental Protection Agency (EPA) website, while only (5%) said that they had visited the Washington State Department of Health Website in the past 12 months.

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DATA HIGHLIGHTS AND OBSERVATIONS

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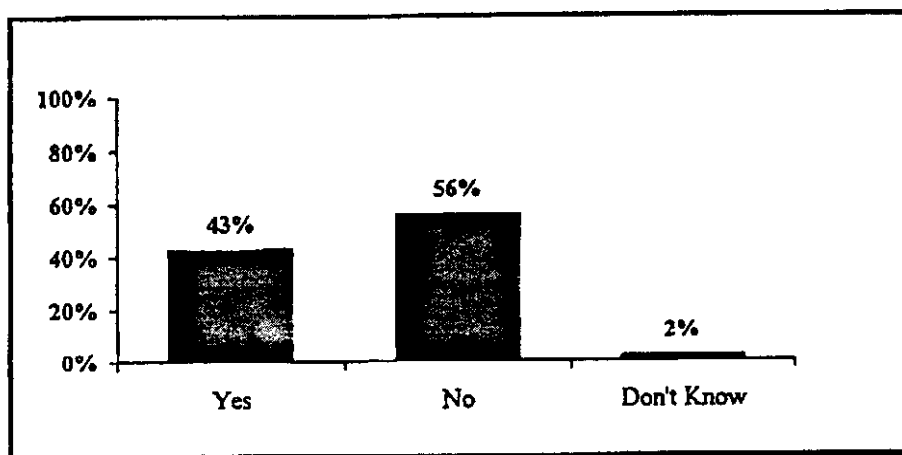
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DATA HIGHLIGHTS AND OBSERVATIONS (Continued)

• **Awareness of Vermiculite Attic Insulation**

More than half of the 427 homeowners surveyed (56%), said that they had never heard of Vermiculite Attic Insulation, while (43%) said they had heard of Vermiculite Attic insulation.

Question: Have you ever heard of Vermiculite Attic Insulation?

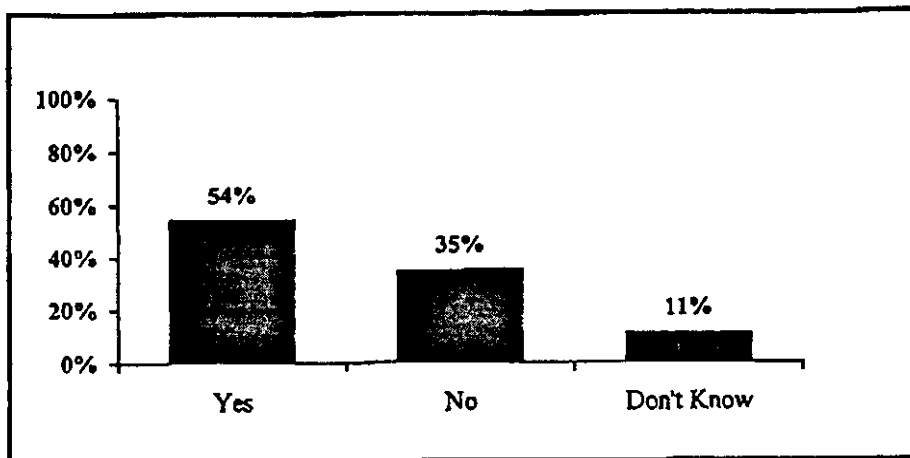


DATA HIGHLIGHTS AND OBSERVATIONS

- **Recognize Vermiculite Attic Insulation:**

Of the (43%) who said that they had heard of Vermiculite Attic Insulation, a little more than half (54%) said that they would be able to recognize Vermiculite Insulation if they saw it, while (35%) said that they wouldn't recognize vermiculite attic insulation if they saw it.

Question *Do you think you would recognize Vermiculite Attic Insulation if you saw it?*

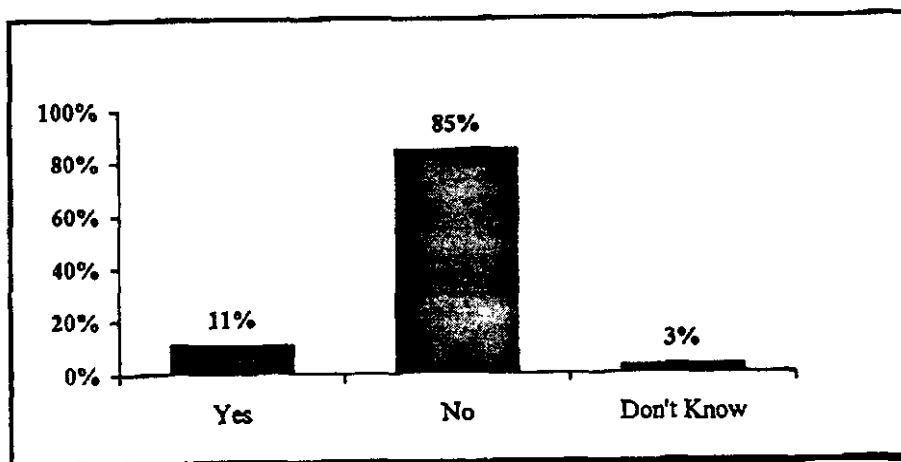


DATA HIGHLIGHTS AND OBSERVATIONS (Continued)

- **Ever Heard of Zonolite Attic Insulation:**

Eighty five percent (85%) said that they had not heard of a particular brand of Vermiculite Attic Insulation, called Zonolite Attic Insulation. While, only (11%) of the people surveyed, said that they had heard of Zonolite Attic Insulation:

Question *Have you ever heard of a brand of Vermiculite Attic Insulation called Zonolite Attic Insulation?*



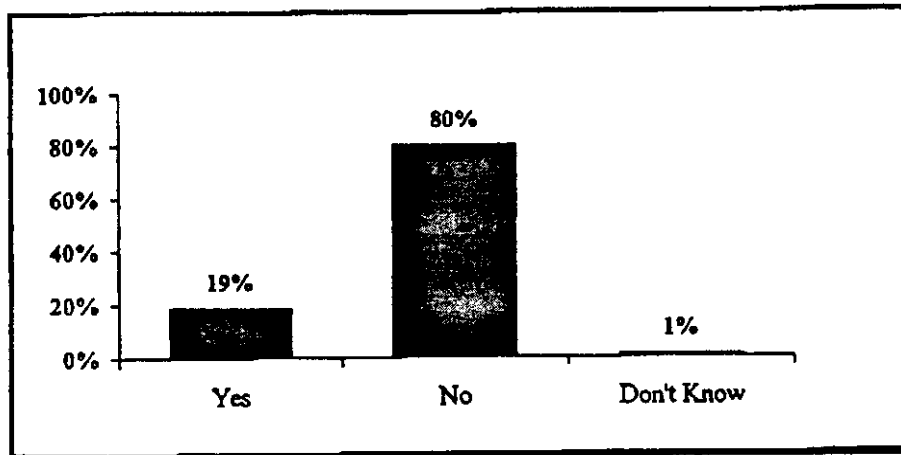
DATA HIGHLIGHTS AND OBSERVATIONS

- **Announcements or advisories regarding the handling or disturbance of Vermiculite Attic Insulation:**

About (80%) say they didn't recall hearing any announcements or advisories regarding the handling or disturbance of Vermiculite attic insulation, while, 19% do recall hearing such announcements or advisories. Those who did recall hearing the announcement or advisory were asked a follow up question of what they recall.

Question

Have you seen or heard of any announcements or advisories regarding the handling or Disturbance of Vermiculite Attic Insulation



- What people recall seeing or hearing regarding the handling of Vermiculite Attic Insulation:

Verbatim Responses

It has asbestos and I saw some warning about be careful with it.
Techniques of use.
It has asbestos in it.
Some was manufactured with asbestos.
I think they said to just leave it alone.
That some of it was contaminated with asbestos.
Probably on the news.
A dangerous health hazard.
Nasty stuff.
Vermiculite is related to asbestos.
Just heard that they are having problems with it.
From TV if you have this kind of insulation don't touch it or disturb it .
No.
It has the possibility of containing asbestos.
Dangerous to your lungs.
The source said do not use it.
That it could be harmful to you especially if you breathe it.
Well, It's supposed to be harmful.
Oh, just what I have read in the paper and seen on television.
I recall it as a negative, or a problem.
It was a new product that was out.
Just what my husband has been telling me.
It has asbestos characteristics to it.
I just remember hearing about it and seeing it on TV.
I recall working with it.
You should contact an Abatement Company for removal. Most people would try to vacuum or shovel it and you shouldn't do that. It should be treated the same as asbestos
It has been banned, I haven't used it for a long time.
Hard on the lungs, you can get lung cancer. That's all that I know about it.
Like, it can be hazardous to your health.
I read an article about a family that worked in a Vermiculite mine, in a magazine, the family had cancer as a result of it.
All they talked about was soil and installation.
Don't disturb it because it has asbestos in it.
That it could contain E-coli.
That it has asbestos in it.
People were ill.

Verbatims, Continued:

Found asbestos particles in it and that you should be aware of that fact.
That it's supposed to be hazardous.
It's a sticky wicket, you need to be careful. I don't have it though.
There was some danger in the product of this type.
It's supposed to be dangerous but I don't know why.
Asbestos bites.
They said they had some problems when they were handling it. They said you have to wear gloves and a mask when you handle it. I don't recall what all it said, it has been a long time. They said it is best to wear a mask when you are handling it.
Do not disturb unless wearing a mask.
Something to do about hazardous to your health.
It is in the potting soil.
It has asbestos in it.
From the news, oh boy not all that much, just that the makers were in trouble because the product was causing cancer.
Asbestos is in older homes.
It has asbestos in it.
Don't touch it.
It has something bad in it, but it has been a long time since I have heard anything.
A News show, about how asbestos was mixed with vermiculite.
It has asbestos in it.
They contain small levels of asbestos.
It had possible asbestos.
You blow it in, and vacuum it out.
Not to mess around with it.
That it is suppose to have fibers that are dangerous, like asbestos.
It's not really good for you.
The discovery of asbestos in it.
It contains asbestos.
This was a warning about vermiculite insulation for homeowners that already have it.
That it appears to contain asbestos and is considered hazardous and can cause cancer.
That it is dangerous the way that it was packaged.
Uh, asbestos related issues.
I heard recently that vermiculite was hazardous, but not necessarily in the context of attic insulation.
Don't let it become airborne.
Just that some of it has, uh, asbestos.
They said it was hazardous to handle, but I think it is asinine.
I don't remember.
It should be removed, that it might be dangerous, and that it is produced in Washington State.
I don't know where. It might have been TV.
It causes respiratory problems and needs to be handled carefully.
Might have asbestos.

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Verbatims, Continued:

It goes into attics. You need to wear a safety mask and something to protect your skin.
In the Newspaper I read it was made here in Washington. They've got some health hazard.
I recall an article in the paper that said it was asbestos and there is something in it and if it is
disturbed and you inhale the dust you are prone to a kind of lung cancer.

It was something you shouldn't have in your attic.

Just that it causes cancer.

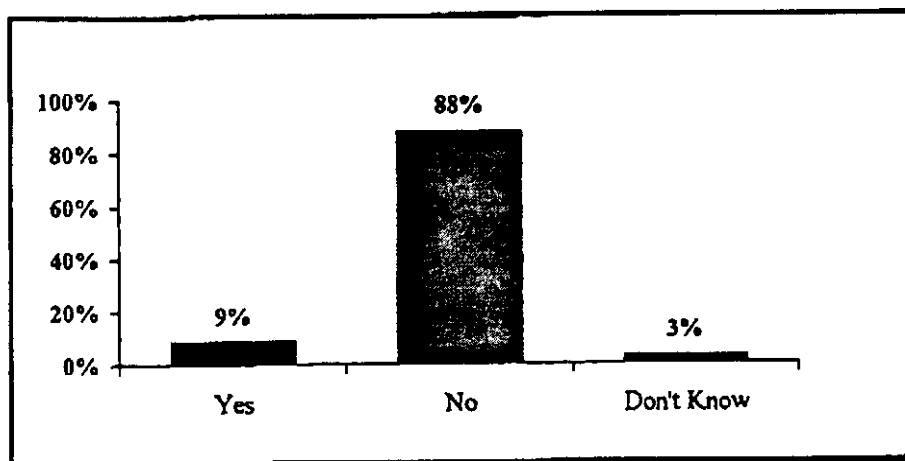
Class action newsletter or a newspaper story is how I recognized it. The time was the 70's but I
am not sure. It was a class action lawsuit or some sort of lawsuit.

DATA HIGHLIGHTS AND OBSERVATIONS

- **EPA Announcement/Advisories concerning Vermiculite Attic Insulation:**

Almost 9 out of 10 people surveyed (88%), don't recall hearing any EPA announcements or advisories concerning Vermiculite Attic Insulation. Those who did hear an EPA announcement/advisory were asked what they heard.

Question: Have you seen or heard any announcements or advisories by the Environmental Protection Agency (The EPA) concerning Vermiculite Attic Insulation?



- What Environmental Protection Agency (EPA) announcement/advisories concerning Vermiculite Attic Insulation they recall?

Verbatim Responses

It was in a newsletter at work.
 From the Montana Deal.
 I don't recall what I heard, but I heard something about it.
 That was what it was on the News.
 That it contains asbestos.
 Don't use it. It's being removed from places.
 About the asbestos.
 They said it was not healthy.
 I don't really know it's just bad stuff.
 Precautions and necessary procedures are used in disposing of it.
 No Response.
 Not sure.
 That it's bad.
 I thought it has to do with a hazard.
 Well, the fact that it is hazardous.
 I seem to remember reading something in the paper regarding the EPA and vermiculite.
 Don't mess with it.
 It is bad. They claim that it is cancer causing.
 On television I think I saw a discussion of this type of product.
 Asbestos based, be careful.
 It is cancer producing. It gathers moisture and that it goes in gardens.
 No response.
 Very little.
 Just the same.
 Possible of hazardous reoccurrence of health problems.
 Caution about asbestos.
 It could be unhealthy if installed in the house.
 Vermiculite is a health hazard if you use it improperly.
 I think it is hazardous.
 It's similar to the soil.
 Something about potting soil that has vermiculite.
 Health hazards.
 On TV.
 I can't remember, there is so much BS going on.
 They did not want it handled or buried or something but I think they were a bunch of environmentalist who did not know what they were talking about.
 It's strong stuff.

Verbatims, Continued

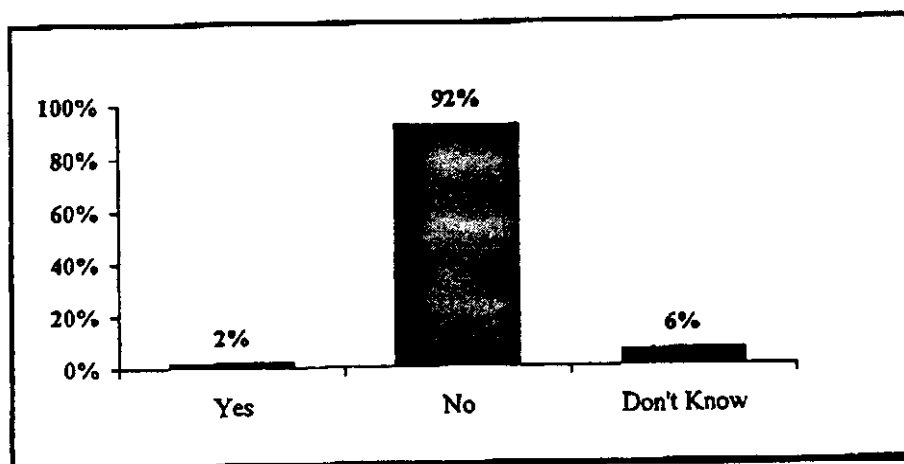
Concerned about two or three kinds of insulation but I would check it out.
Well, make sure you don't breath it or move it.
It can cause cancer. Get rid of it.
I don't remember.

DATA HIGHLIGHTS AND OBSERVATIONS

- Announcements/Advisories by Washington State Department of Health concerning Vermiculite Attic Insulation:

More than 9 out of 10 people surveyed (92%), hadn't heard any announcements/advisories made by the Washington State Department of Health concerning Vermiculite Attic Insulation.

Question: Have you seen or heard any announcements or advisories by the Washington State Department of Health concerning Vermiculite Attic Insulation?



Announcements/Advisories from Washington State Department of Health Concerning Vermiculite Attic Insulation:

Verbatim Responses

Be very careful it has a chemical in it.

I heard it was also contained in potting soil.

Almost nothing.

I don't recall but do remember seeing information.

I'm not sure.

They should not be used.

Don't touch it.

If you worked out in that area you would be exposed to it and your plants can die.

Asbestos particles.

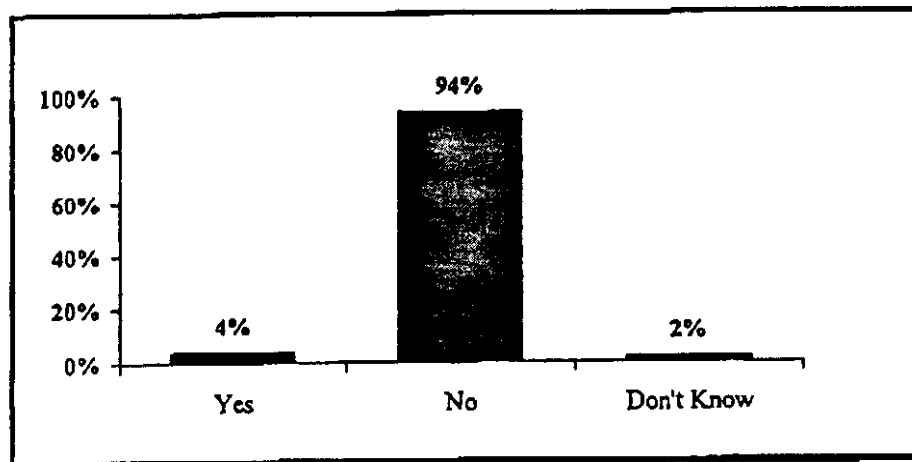
Nothing. I'm not paying much attention.

DATA HIGHLIGHTS AND OBSERVATIONS

- **Received information from any source regarding potential health hazards from Vermiculite Attic Insulation:**

Ninety Four percent (94%) of the 427 people surveyed said that they had not received any information regarding potential health hazards associated with Vermiculite Attic Insulation:

Question Have you received information from any source regarding potential health hazards from Vermiculite Attic Insulation?



- Received information from any source regarding potential health hazards from Vermiculite Attic Insulation:

Verbatim Responses

An article on the Internet when I was surfing around.

The asbestos contamination.

I read it in the paper and saw it on television.

It is poor for your health, and for the environment.

Just that they explained all about it in the newspaper.

From the newspapers sighting the incidents of people that have been harmed, physically from breathing vermiculite.

People disturbing the attic insulation and becoming ill on the news.

We don't have it. Illnesses associated with asbestos particles. I wondered whether it was just in the insulation or in the vermiculite used in the soil.

I don't know.

It is bad.

The information I saw, I believe, it was a package of it but it has been a long time so I don't recall a lot of it. We are talking about the last time that I saw any of that stuff, it was 20 years ago. I don't know where, thinking... it might have..., I really don't know.

From the news.

I heard it was found in playground sand and was recalled.

The asbestos is in the product.

It was on the TV news.

Gave descriptions of the product by special handling.

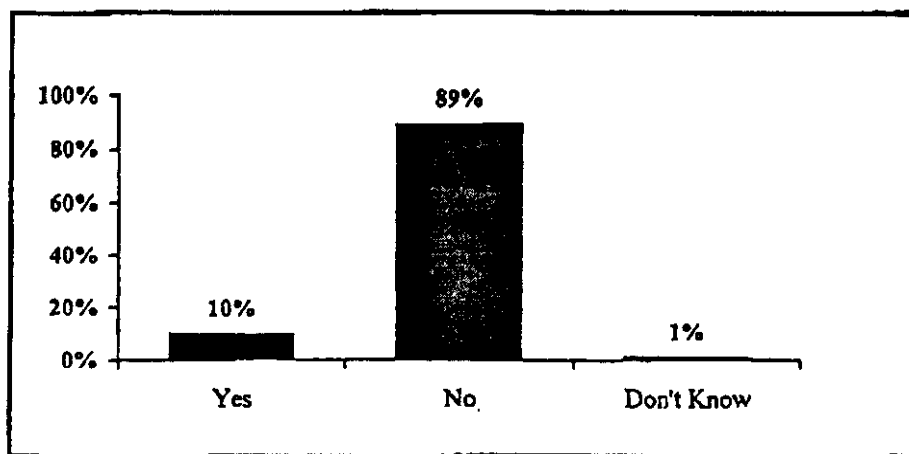
Don't know.

DATA HIGHLIGHTS AND OBSERVATIONS

- **Special Precautions Homeowners that own Vermiculite Attic Insulation should Take**

Close to 9 out of 10 people surveyed (89%), said that they were unaware of any special precautions that Homeowners that have Vermiculite Attic Insulation should take.

Question *Are you aware of any special precautions that homeowners should take if they have Vermiculite Attic Insulation?*



• **Special Precautions Homeowners that own Vermiculite Attic Insulation should Take**

Verbatim Responses

Don't move it. If you want to take it out of your house hire someone to do it.
Mask and gloves.
You shouldn't handle it or breathe it.
If you don't know what's in it don't disturb it, and have it tested. Don't disturb it or it might break down.
Have it removed professionally.
Have it removed professionally.
I think what I've heard is that if you do remove it, it should be done professionally and be removed properly.
Don't spray it around a working stove, it's suppose to be flame retarding.
Not to disturb it and if you have it removed you should have special people come in and do it.
Call somebody.
Windows should be open or the house should have air circulation.
I learned from my husband that I should cover up my whole body and wear a face mask if I were handling it or were around vermiculite insulation.
Don't disturb it.
All depends on what your doing.
Should wear gloves, mask, and hair protection.
I don't know the procedures as they are spelled out. I do recall reading about it in the Tacoma paper. But Abatement Company should be contacted.
Get an approved person to take it out, as with asbestos.
Don't mess with it.
Leave it alone.
Wear a mask, paper suit, plastic boots, and shower off after use.
Get it taken out by someone else.
Yes, I guess they should get rid of it.
Other than wear respirator type mask, no.
You don't get in it you wear a respirator.
They should know what they are doing.
That there is potential of contamination.
Have a mask, and gloves when you're putting it in.
Yes, don't disturb it; especially in it's dry form.
Gloves and facemask.
Dad said don't mess with it, you could get glass in your lungs.
Stay as far away as possible.
I suppose get it removed by calling a professional.
Do not go near or disturb it.

Verbatims Continued

Get rid of it; seal off the attic from the rest of the house.

Just don't disturb it.

I've heard that about Vermiculite itself. It's not necessarily the attic insulation.

I just know them.

Not to disturb it or breathe it.

Houses built in a certain period of time may have it but do not remove it.

Don't mess with it or breath it.

You should not disturb it.

I would image it would follow any other but wear a mask, eye protection and proper clothing.

Long sleeve shirts, pants, and collar up your neck if possible. Just what I learned from over the years of watching TV and reading.

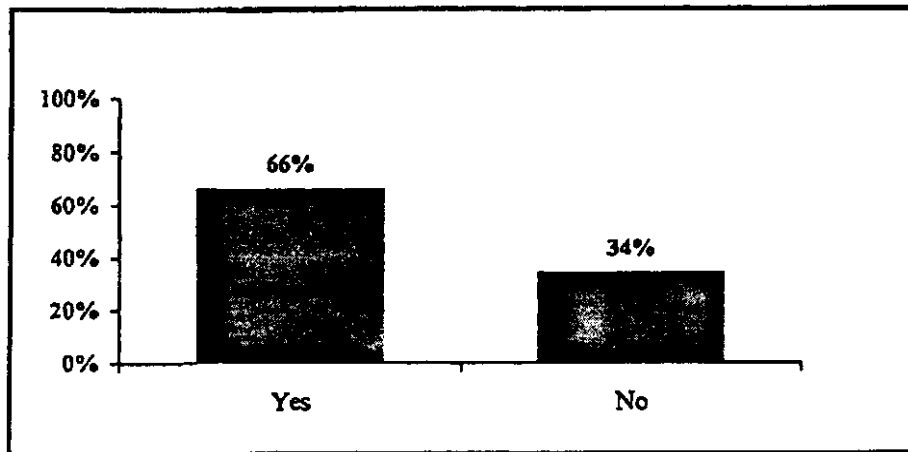
Don't handle it. It was a newspaper story you see now an again but it wasn't a different mail piece. Don't disturb it was my recollection some sort of asbestos fiber. I'm thinking that there was a remedy to completely take it out.

DATA HIGHLIGHTS AND OBSERVATIONS

- **Internet Access:**

Two Thirds (66%) of the people surveyed mentioned having access to the Internet.

Question: Do you have access to the Internet?



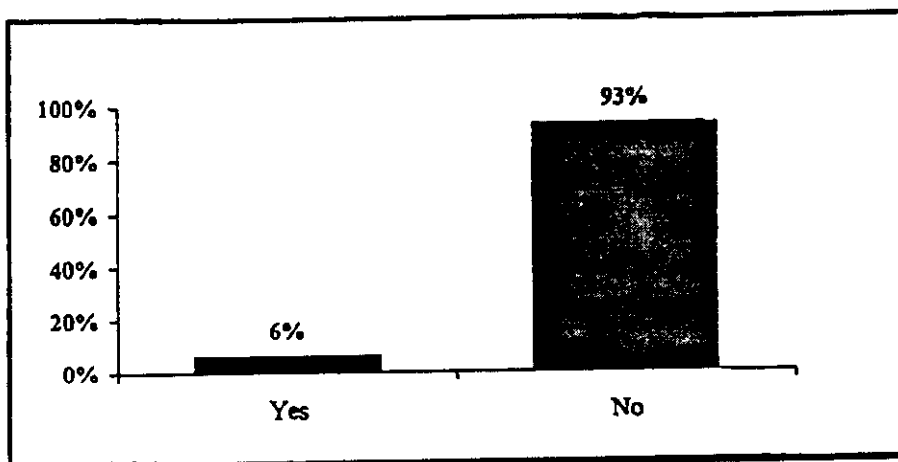
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MARKING & INDEXING

DATA HIGHLIGHTS AND OBSERVATIONS (Continued)**• Visited an Environmental Protection Agency (EPA) website in past 12 months**

More than 9 out of 10 people surveyed (93%), who said they had Internet access, said they hadn't visited an EPA website in past 12 months.

Question *Have you visited an Environmental Protection Agency (EPA) Web Site in the past 12 months?*

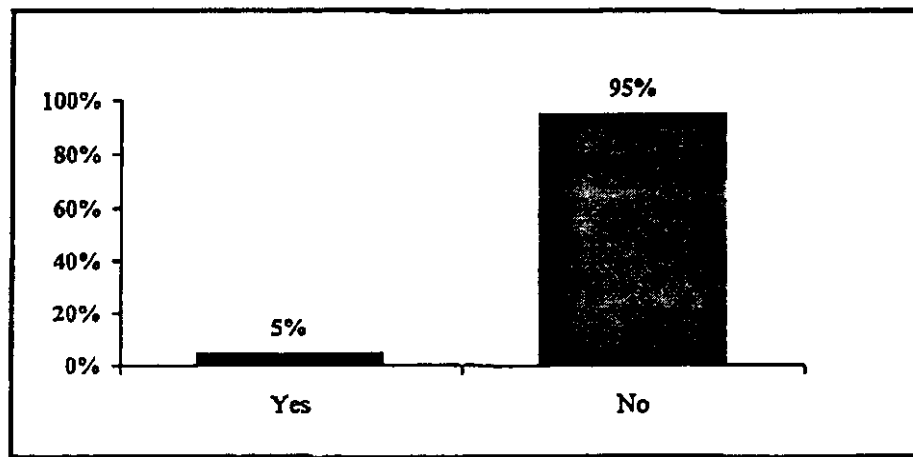


DATA HIGHLIGHTS AND OBSERVATIONS (Continued)

• **Visited Washington State Department of Health Website in past 12 months:**

More than 9 out of 10 people surveyed (95%). Who have Internet access, Said they hadn't visited the Washington State Department of Health Website in past 12 months.

Question *Have you visited the Washington State Department of Health Web Site in the past 12 months?*



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SAMPLE PROFILE

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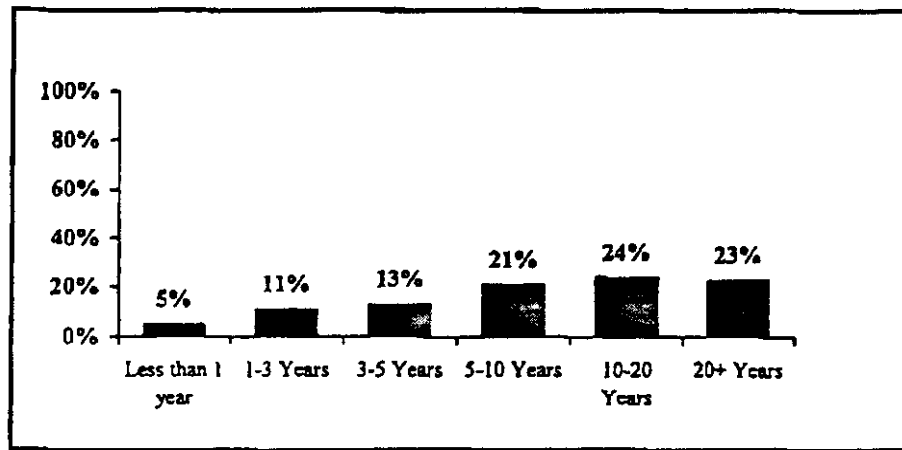
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SAMPLE PROFILE

- **How long residing at current residence:**

Twenty four % (24%) of people surveyed said that they have lived in their current residence for 10-20 years. Twenty three % (23%) mentioned they have lived in their current residence for 20 years or longer, while twenty one (21%) mention that they've lived in their current residence for 5-10 years.

Question: How long have you lived in your current residence?

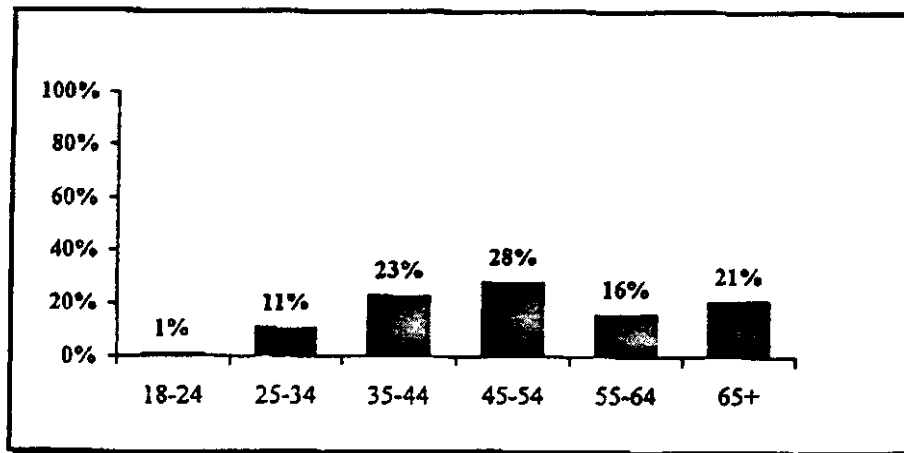


SAMPLE PROFILE

- **Age of respondents interviewed?**

Almost Thirty percent (28%) said that they were between the ages of 45-54, while twenty three percent (23%) said they were between the ages of 35 and 44. Twenty one percent said they were 65 years of age or older.

Question: Into which of the following age groups are you?



SAMPLE PROFILE

• **Gender of people interviewed:**

Fifty three % (53%) of the people surveyed were females, while (47%) of the people surveyed were males.

Question

Record Gender

